

Main Feedback

LIST OF CITIZEN RECOMMENDATIONS FOR CHARTER CHANGES - MOST SUGGESTED FIRST, LEAST SUGGESTED LAST

Total

Sub-Total

No Property Tax Increases Without Voter Approval

✓ N6

Over 3000

ETHICS

116

Code of ethics

Anyone convicted of a felony should not be allowed to run for any elected office

N6

Anyone convicted of a felony should not be allowed to be considered for appointed positions

~~NO~~ YES

Public officials convicted of a felony while in office should be removed from office

YES

Public officials convicted of a felony while in office should forfeit their retirement benefits

N6

Public officials convicted of a felony while in office should receive no benefits for legal fees, insurance

N6

Public officials convicted of a felony while in office should be barred from serving in any relationship with city government

N6

(as a vendor, a contractor, etc.)

Retired public officials convicted of a felony should have their pension benefits terminated

N6

Random drug testing should be applicable to all appointed and elected officials

N6

No conflict of interest should be allowed for any elected or appointed official

N6

Need rules to make sure that polls are clean and honest

N6

Establishment of an Ethics commission independent of the Mayor and City Council

N6

possibly elected, with the power to censure, fine, and recommend dismissal

N6

Hold all city employees, appointees, and elected officials accountable for any and all violations of the Charter

N6

Should any elected or appointed officials indicted (not convicted) of a felony continue to serve? (most say, at the least, leave of absence)

N6

Require persons indicted for crimes to remove themselves from city business until issue is resolved

N6

All public business should be conducted in open meetings

N6

Set minimum qualifications for elected and major appointed positions

N6

Mandate that any personal complaint by an employee that might result in litigation be submitted in writing promptly by the employee to the District Attorney as well as to the employee's supervisor

N6

Campaign fundraising for any elected City of Memphis position should not commence until six months prior to filing deadline, and should cease prior to the swearing in.

N6

Potential candidates should pass a credit check before filing for an elected position

N6

Municipal declaration of party affiliation for all elected positions

N6

Any public official that owes any overdue payment to the city also may not hold city office, City job, or city contract.

N6

This should apply to overdue utility bills and tax bills, but not to speeding tickets as long as they are paid promptly.

N6

(From Allen Wade: Section about political activity in our charter was struck down by the state (e.g., one person can be in state elected office and a local elected office at the same time))

N6

Term Limits

90

Mayor only

Mayor and City Council

All elected officials

City Council terms in office should be staggered

(didn't tally, but most said 2 terms, a few said 3 terms)

YES

No Term Limits

3

Main Feedback

Open Records laws / issues

77

- All salaries, benefits, overtime and pensions for ALL city employee and officials should be - *no* 37
- public information and available on the internet *no*
- All public records including ordinances, contracts, etc., should be posted online and in timely fashion - *no* 8
- All requests for proposals (bids), all responses to those RFPs (request for proposals), all purchase orders resulting from the bids, *no* 25
- The selection process for awards and the reasons for the selection, and all purchases orders should be available in real time on the internet. *no*
- All professional contracts should be advertised and bid and the results put on the internet - *no* 1
- All contributions to candidates for elected office and their expenditures should be published on the internet - *no* 3
- All electronic communications made on public property shall be subject to the FOI Act, except where - *no* 1
- protected by Federal or State laws. *no*
- Publish All building projects, related contracts, purchase orders, change orders and - *no* 1
- correspondence e.g. the FedEx Arena and the Cannon Center and school projects *no*
- All budgets, financial statements and audits should be posted on the internet - *doing this?* 120 1

Memphis Light Gas and Water

76

- Address the price of utilities for senior citizens - *no* 1
- Require a voter referendum for approval of sale of MLG&W - *no* 23
- The President of MLG&W should be selected by the City Council (not by the Mayor) - *no* 2
- The board members should be elected by the ratepayers - *no* 3
- Increase the number of the board of directors of MLG&W from 5 to 9 - *yes* 32
- 4 of the MLG&W board members should be elected at-large by the citizens. - *yes*
- Appointed board members should be - *no*
- a past MLG&W president, an IBEW business agent, chairman of the the MLG&W retirement board, and someone from the academic community *no*
- 4 of the MLG&W board members should be elected at-large by the citizens. *no*
- 2 appointed by the Shelby County Board of Commissioners *no*
- 1 appointed by the Mayor of Germantown and approved by the Board of Aldermen of Germantown *no*
- 1 appointed by the Mayor of Collierville and approved by the Board of Aldermen of Collierville *no*
- Give the City Council authority over MLG&W *no* 1
- the citizens need more authority over MLG&W *no* 1
- Make MLG&W a separate entity, like the Airport Authority - *yes* 1
- The board of MLG&W should be comprised of 5 members from Memphis appointed by the Memphis Mayor. *no* 5
- One appointed by the Germantown Mayor and one by the County Mayor for a total of seven. (also add Collierville and Bartlett) *no*
- Sell MLG&W *no* 2
- Employees of Memphis Light Gas and Water shall be considered city employees and all provisions for Memphis city employees shall apply to them, except there shall be no transfer of retirement credits or time between the two separate entities. *yes* 1
- It will be considered a termination and new hire between unrelated entities. *yes*
- The Memphis Light Gas & Water Division should become a regional utility authority. (Frierson Graves) *yes* 2
- MLG&W Board of Directors will be the ones to choose the companies president *yes* 1

Riverfront Development Corporations and other "quasi" government organizations -

49

Main Feedback

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Need a standard of 'stewardship/oversight' for finances and city funding ✓
 More transparency needed for these organizations (Employees hired, salaries, office and travel expenses, rents and furnishings) ✓
 All information and business of these entities should be available on the internet ✓
 All non-profit entities that receive any funding from the city should be subject to the open records laws and waiver of fees ✓
 Land Use Control Board is full of real estate agents and developers with no representation of the general public ✓
 Land Use Control Board - the City Council members and the County Commission members ✓
 Of the board should be in contact with each other
 Restrict elected officials from voting membership on any city or county board or commission ✓
 Eliminate City Council conflicts with municipal boards and commissions ✓

Recommendations for Charter changes that are put on the election ballot should be at line-item level 45

City Pension Fund and Program Issues 42

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The city pension needs to be reviewed ✓
 1) who sets it up? 2) who is qualified to set it up? ✓
 3) how are service and payments determined (Mayor? City Council)? ✓
 Require at least 20 years of service before a city employee is eligible for retirement ✓
 No retirement benefits for anyone who retires or leaves office after less than 10 years of service ✓
 The ability to collect 2 pensions at the same time (retire from one job and collect pension, then get another city job which also qualifies for a pension) should be REMOVED from the charter: - YES ✓
 The current pension policy of qualifying to collect a pension after only 12 years of service ✓
 needs to be stopped/changed.
 City pensions should be more 'in line' with pensions of private business with regard to time of service and 401K plans - ✓
 Remove future elected and appointed officials from existing city pension plan - ✓
 Prohibit city council from setting its own pension rules ✓
 The standard retirement age will be 65 except for police and firemen who will be allowed to retire at 59 without penalty - YES ✓
 But are not required to do so. All federal rules with respect other early retirement will be used.

(From Tom Marshall: the City Council is the Custodian of trust that information received is accurate - no mechanism to verify information received (no staff) - late
 need strong liaison between Council and Administration -- Pension plan is a valid example. wasn't written by council, was written by the administration)

City Budget Issues 39

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Line-item budgeting is needed. There should be no funds moved from one line-item to another without council approval ✓
 regarding budget appropriations, the Mayor should not be allowed to change or override those decisions ✓
 If the mayor/council gets a raise, EVERYBODY on the city payroll gets the same percentage raise ✓
 Prohibit switching money from one item that has been OK'd to another item ✓
 Without joint approval of mayor and council
 City money should not be given to a private organization unless approved by the voters (referendum) ✓
 Budget shows one staff attorney, but does not show the budget details of proposed expenditures for this service ✓
 What is the future possible monthly liability over and above the money being paid ✓
 If all the people who are qualified under the January 2001 pension change retire after 12 years and start receiving city pensions?

Main Feedback

Set the salaries of the mayor and city council members, and require a referendum to make any increases, or to change the current pension system for city employee, including elected or appointed. ~~Yes~~ 5

All salary increase requests must be approved by the City Council. ~~Yes~~ 1

All City Council and City School Board retreats shall be held within Shelby County. ~~Yes~~ 1

and all out of town travel for any member of either entity shall be approved prior to travel with a specific amount allowed for expenses 2

All retainer fees for professional services including legal service must be approved by the council. ~~Yes~~ 2

No real property sold or purchased or leased without submission of the contract for or lease for approval. ~~Yes~~ 2

Mandate set asides for minority business (specifically which involve federal funding directly and indirectly) to be established in contracts for companies conducting business with the City. 1

Increase the salary of elected officials, particularly City Council member. ~~Yes~~ 2

The City Council shall be prohibited from approving grant spending except for limited, specified exceptions that the Council shall designate in a binding resolution, with a maximum of \$25,000 per grant, the total of all grants not to exceed \$100,000. ~~Yes~~ 1

A two-thirds vote of the full Council shall be required for approval of the grants. 1

(From Allen Wade: Budget -- broad authority vs. line-item restrictions -- council has authority to budget but mayor has authority to hire and set salaries --> does it require council approval for salary requested by mayor? -- council can add divisions in addition to what is in the charter. Specific amounts in charter that are based on 'cost of living' -- may need add'l language to allow for increases in the cost of living)

Mayoral Appointments Issues

1) what are the qualifications? 2) what are the salaries? 3) Who determines qualifications and salaries? ~~Yes~~ 1

Salaries of appointees are never tapped when the city is short of funds 1

The directors of Police, Fire, and the city treasurer should be elected by the citizens. ~~Yes~~ 1

Mayoral appointments should only be for existing positions defined in the charter. ~~Yes~~ 17

All Mayoral appointees should be approved by the City Council. ~~Yes~~ 7

The timing / timeframe for replacement of vacant positions (resignations, etc.) needs to be specified in the Charter. 2

The City Council will have the power to remove any appointed official with cause at anytime by a majority vote. ~~Yes~~ 1

Only appointed officials that have received city council approval and consent shall be eligible for city retirement. ~~Yes~~ 1

These must be full time employment positions. All other temporarily appointed officials will be considered independent contractors and not eligible for any retirement plans. ~~Yes~~ 1

Except for the Chief Administrative Officer and Division Director, the City Council, by ordinance, may eliminate any appointed position presently contained in the City Charter. ~~Yes~~ 1

Citizens may propose amendments to the Charter via petition, and such changes will be subject to voter referendum. ~~Yes~~ 29

Executive authority needs to be limited. 19

limited contractual authority -- any contracts over \$50,000 should require the approval of the City Council. ~~Yes~~ 3

limited contractual authority -- any contracts over \$75,000 should require the approval of the City Council. ~~Yes~~ 1

All bond issues should be publicly offered and bids should be opened publicly. ~~Yes~~ 1

Instead of being offered, selected, and granted by the Mayor -- ask City. ~~Yes~~ 1

The city attorney should be legally liable for all contracts. ~~Yes~~ 1

Main Feedback

Prohibit mayor from signing any contract unless it has been approved, and funded, by city council

13

(Per Allen Wade: Power of contract - charter says it 'remains' with the mayor but never said it was 'with' the mayor --

Issue raised in 1988 to include City Council in that contract power, but was not changed.

Interim appointments - mayor can appoint on interim basis but never brings appointment to council for approval; person stays in the position)

(From Tom Marshall: Where authority lies - word "solely" (regarding contractual authority) is NOT in the charter. Powers of mayor vs. powers of council is issue.

needs to be more clearly defined. Otherwise, believes part-time council works. Council SHOULD have contractual authority, not just mayor.

Example: pension fund - council was told had no power of contract so no council member could be on the pension board. Need, at the least, to see the final 'contract' before it is sealed. Details of power of contracts for council members should be clearly defined to mitigate conflict of interest. Roles and Responsibilities are vague in current charter - problem with nomenclature more than intent.)

Do not limit the contractual authority of the Mayor

1

Reinstate the Parks Commission

12

Maintenance of parks and green space needs to be covered in the Charter
Who decides to sell, & where does the money go when public parks are sold?
have a citizen board which would be supported by the city
Take CARE of the public golf courses, like Davey Crockett, which is being managed into failure with intent

5
3
3
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Run-off elections --

13

All elected positions
Mayor and City Council
Instant run-offs

6
5
3

No Run-off elections

2

(From Allan Wade: Municipal elections - not adequately addressed in the charter -- city had to go to state court of appeals to get a ruling)

Prohibit city council from making any change in the city charter by ordinance or otherwise without voter approval.

9

Address problems regarding funding and budget for Education

7

practical skills need to be taught in all schools
The city schools system should be totally separate from city government
School funding for city schools comes from the city, county, and state. There should be a separate taxing authority for the schools.
Operate the school system all year long with the year divided into four quarters with appropriate breaks and holidays.
Provide taxing authority for Memphis City Schools, property tax rate to be set by the MCS Board of Commissioners.
This will require commensurate reductions in city and county sales taxes, etc.

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Keep and Re-activate the Shelter Advisory Board as defined in Chapter 8-12, MEMPHIS ANIMAL SHELTER, Article 2

6

Main Feedback

The City Council needs to be restructured with no "super" districts. *VB*

6

Recommend that a regular review of the Charter be specified in the Charter itself. *VB*

4

This is possible, but the interval period between reviews must be at least 10 years, per the state charter.

(From Allen Wade: No mechanism in current charter for 'clean up' as another avenue outside of the only current way, which is charter commission per state charter (our elected group).)

vicious dogs problem needs to be addressed *VB*

4

No area should be annexed unless the city can prove that it is ready to provide all city services *VB*

4

Any annexed area with more than 200 voters will be given a special voting alderman that resides in that area until the next general election after the realignment of the city wards.

1

Simplify/clarify the language of the charter, in whole and in its parts. *VB*

4

Attorneys that work for the city, are employed by the city, should be full-time and have no other clients, *VB*
to avoid any conflict of interest.

3

The City Council positions should be full-time – council members should have no other job. *VB*

3

Any referendum voted by the citizens of Memphis can only be revoked or overturned by another referendum *VB*

3

Need a charter section like the Shelby County charter sections which allow citizen generated referendums like the voters used in 1994 to set term limits on County Commissioners *VB*

1

Conformance with ecology is needed for all city services, so that Memphis can be a "cool city" *VB*

3

Require a college degree in business for anyone that is hired in any management capacity *VB*

3

Full disclosure of qualifications for all such employees should be provided to the citizens *VB*
All city government positions should be posted for not less than 15 days to allow *VB*
qualified candidates to apply for such positions.

2
1

Consolidation of ALL Shelby County Government services as legislated by the State, including police, fire, emergency services, school systems *VB*

3

Increase the number of councilpersons to 15 to keep in line with city growth *VB*

2

Main Feedback

City construction codes to be same as the county *NO*

2

Per the city charter, enforce the inspection of all vehicles in the city, including city-owned vehicles *NO*

2

This would allow for the residents of the city to have free inspection *NO*
Require all county cars to be inspected if the owners work in Memphis but live in the county *NO*

The city Charter should be easily accessible by all citizens. *NO*

2

Law enforcement needs to be strengthened. Strengthen ordinances to create proactive rather than *NO*
reactive responses by law enforcement – noise, code violations, loitering, illegal parking, littering

2

Issues with Zoning – all residents impacted by a potential zoning change should be notified
of when the proposed changes are being reviewed by the City Council.
If the Council “tables” a zoning ordinance (instead of implementing it), all impacted parties
Should be notified of when the issue will be back on the Council meeting agenda.
Also, require a public meeting to be conducted by the City Council -
the meeting must be held within the city at a minimum of 4 designated/impacted locations to ensure public input.

2

Binding arbitration should be required for city employees *NO*

2

Charter should include requirements for all elected officials to have regular communication *NO*
with their constituents (town hall meetings, forums, etc.)

1

Government should be Council-driven with a City Administrator instead of a Mayor *NO*

1

City Council positions should not be full-time *NO*

1

Regarding age and residency requirements for City Council positions – the minimum age requirement should be 21,
which is voting age. If a person is old enough to vote, they should be old enough to run for office. *YES*

1

Focus on policy issues concerning the authority of elected and/or appointed officials -- *YES*
Any ‘specifics’ should be clearly and simply identified to where there can NOT be ANY
misunderstanding as to what it means.

1

The restriction of city employees having to live in the city should be eliminated *YES*

1

ALL employees of the city need to live in the city. *YES*

1

ALL employees of the city need to live in the city or in Shelby County *YES*

1

Main Feedback

City 'consultants' - the city should make use of local volunteers before considering the hiring of out-of-town consultants. A chairperson or facilitator for the volunteers would be needed for coordination / organizations. The city needs to LISTEN to Memphians regarding input for projects and studies. The city is full of people willing to help out and volunteer.

1

Mass Transit needs to be addressed/fixed

1

Need a casino on Mud Island

1

Need fire hydrant inspectors

1

City organization agencies, commissions, department heads, executive or council - Names should be submitted for those positions and they should be elected by the citizens

1

Changes needed for alcohol licenses and public nuisances

1

no sale of any public land without voter approval (referendum)

1

NO privatization of any city service

1

No rehiring of retired officials

1

Charter should have provisions for privatization of public entities

1

recommend a charter change to allow a citizen to bring a suit and if he wins at the first level he will receive double his attorney's fees and if it is carried to the next level and he wins he will receive three times the fees and if it is carried by the city to the highest level and the citizen wins he will receive four times the fees.

1

All citizens within the city and Shelby County are impacted by the decisions of the city mayor and the Commissioners-the tax assessor, the judge of the juvenile court and the judges of the city court of the City of Memphis and other elected officials. Therefore, each citizen within those boundaries should have the right to voice their opinions on individuals running for the particular City office by casting votes of their choice.

1

Suggest a modification to charter Sec. 15-12-4 Preliminary plan review -- OPO current notices do not provide ample time or notifications to respected owners to address issues impacting their properties and review standing regulations governing these changes.

1

the issue of any bonds [both general obligation and revenue] must pass a referendum vote at a general election.

1

Authorize citizens' initiatives that can be presented every general election and put on a

1

1 - forward to Memphis Fire

1 - OPD forward to

1 - State St. 1

Main Feedback

referendum ballot, and reduce the required number of citizens' signatures to a more reasonable number than is now required [say 5% of the last voting numbers instead of the current percentage.

Require a "CARMEN MIRANDA" type statement that all city employees must read and sign, *NO*

1

Including elected and appointed persons, so that they are fully aware of the consequences of any of their actions that are contrary to city policy, and are thus solely responsible for any costs of any suits, and not the city.

Vacancy in office -- all future vacancies on the City Council and The Memphis City School Board will be filled through *NO* a random drawing (lottery) of registered voters until the next scheduled election.

1

City districts 1 and 7 are poorly drawn. District 1 is clearly the most gerrymandered district in the City. *NO*

1

It reaches into the middle of district 7. As an advocate of Frayser, I feel that the current districts are a detriment to the community. Frayser is currently represented by 8 council members- districts 1 and 7, as well as super-districts 8 and 9. It makes communication with our representatives more difficult; there is essentially no main person to go to.

A parliamentarian is needed for the City Council -- should be following Roberts Rules of Order *NO*

1

All city/public meetings should be on local access cable TV *NO*

1

FEEDBACK FROM CITY OFFICIALS, Government Representatives

City Court Clerk

Collections -- citations: city loses 50% of revenues because of statute of limitations of 1 year. Add more time (more than 1 year), or have item put on docket after 90 days no payment. Section 2-12-2

Payment of court costs: 30 days to pay - after that, no recourse if not paid except to send a notice card - if non-moving violation, 1 year statute. If moving violation, after 1 year license can be revoked.

Signature required for moving violation - if wireless tools used, is electronic signature ok? and also fingerprint should be required? Issues with keeping identities 'clean' and not confused with any other identity.

Define classes of offenses that do not need court appearances. — NO

Tom Marshall, as representative of the City Council

Roles and Responsibilities are vague in current charter - problem with nomenclature more than intent. Issues with discerning authority, roles and responsibilities - needs clarification — NO

Custodians of trust that information received is accurate - no mechanism to verify information received (no staff) - possibly strong liaison between Council and Administration -- Pension plan is a valid example: wasn't written by council, was written by administration — NO

Where authority lies - word "solely" (regarding contractual authority) is NOT in the charter. Powers of mayor vs. powers of council is issue, needs to be more clearly defined. Otherwise, believes part-time council works. Council SHOULD have contractual authority, not just mayor. Example: pension fund - council was told they had no power of contract so no council member could be on the pension board. Need, at the least, to see the final contract before it is sealed. Details of power of contracts for council members should be clearly defined to mitigate conflict of interest. — YES

The City Council member have become the Custodians of trust that information received is accurate - no mechanism to verify information received (no staff) -- need strong liaison between Council and Administration -- Pension plan is a valid example: wasn't written by council, was written by administration — NO

Powers of the Mayor and powers of the Council are interfering with common sense policies. Those powers need to be clearly defined. — NO

The City Council should have the power to approve all contracts. — NO

Judges -- requests / recommendations

Rotation of administrative judge (currently, no provision for rotation) — YES

— YES (state law?)

Ken talk to T. Long - report next meeting

City reps Feedback

Creation of 4th division of city courts -- courts have not grown with the city. Charter calls for 2 session of court - increase sessions, possibly a night court or satellite court, possibly judicial commissioners, change in times of court sessions

- YES

Should charter at least have provisions for city growth to manage city court? Add divisions? Have always been 3 city judges

- YES

Does the charter specify number of city judges? Yes - it defines 3 divisions. Research needed to determine a 'formula' for authorizing flexibility of growth for city court sessions?

- YES

Judicial commissioner - can continue sessions past the 'regular' court time

- YES

Security - need authority to hire and/or make decisions regarding staff for security for the courts when in session (when judge believes court is not secure, can 'close court'). Police dept currently manages the security staff. Should have 2 bailiffs per court - need more police and/or privat

YES - input from all judges

Number of sessions and/or courts need to be increased - and number of judges. So many people have to appear on a given court date that they may be pleading guilty so that they don't have to wait or have to come back to court again. Wait is too long - people have to get back to work, get to their children, etc

YES

Need limitations on size of dockets

YES

Steve Mulroy and Lou Geater (County Commissioner, County Legislative Research Analyst)

A suggestion for your consideration—specifically, the use of "Instant Runoff Voting," or IRV, for mayoral elections.

In a normal runoff system, if no mayoral candidate received more than 50% of the vote, the top two vote-getters would face each other in a runoff election. In decades past, this had the unfortunate effect of diluting African-American voting strength and was thus discriminatory. Indeed, I sued local governments over precisely this issue as a civil rights lawyer for the Voting Section of the U.S. Justice Dept. Now that Memphis is a majority African-American City, however, this is not a concern.

IRV would allow the voters to rank their mayoral preferences, marking a "1," "2," or "3" next to their first, second, third, etc. preference. If no single candidate received more than 50% of the vote, the vote counting would then eliminate the candidate with the least amount of first-place votes and transfer votes based on those voters' second-place choices. These rounds of voting would continue until someone received a majority of the vote and would then be declared the winner.

IRV has been used successfully around the world and at the local level in localities around the U.S. Inexpensive software programs can do the vote-transfers necessary to calculate the winner quickly, so it would not delay the counting of votes.

IRV has several advantages:

ask Mulroy to be present

City reps Feedback

- (1) It eliminates the need for costly runoff elections, doing it all instantly.
- (2) It ensures that the person elected receives support of some kind (either first or second place support, usually) from a majority of voters, causing the election of consensus candidates.
- (3) In doing so, it eliminates the possibility that divisive candidates, or "fringe" candidates, or candidates intensely disliked by a majority of the voters, can squeak to a narrow victory with vote percentages in the 20s or 30s, due to a small but determined minority of voters.
- (4) It eliminates the voter's dilemma of preferring a lesser-known candidate but being afraid that support for their first choice would be "throwing away their vote." Thus, a voter could vote "1" for Ralph Nader, "2" for Al Gore, and "3" for George Bush, without fear that supporting Nader would throw the election to an intensely disliked opponent. This opens up the process to third-party candidates, or candidates with less financial resources or name recognition.
- (5) By doing the above, it encourages voter participation, makes it less likely to feel that their vote doesn't matter, and thus increases voter turnout.

I (Lou) would appreciate the opportunity to speak to you about this matter. I will also be sending you some written material about it. I would also appreciate the chance to speak to the Commission about this at an upcoming public meeting. In the meantime, I am happy to answer questions about it. I can be reached at 678-4494 or 603-8779. Thanks in advance for your consideration.

For MORE feedback on IRV, refer to documents on the "Citizen Feedback" page of the Memphis Charter Commission website. There are 2 documents on the right side of that page (a "for" and an "against" perspective), and there are 3 documents in the list of feedback documents (center of the page) from Steve Mulroy and Smart City Memphis (Commissioners should have copies of those 3 documents)

Carol Chumney

Ms. Chumney proposes that the city Charter be amended to provide for a special election within sixty (60) days of the resignation of the Mayor. The public deserves the right to elect their Mayor and not be the victim of skulduggery or backroom deals to circumvent the democratic process.

Please refer to the document from Carol that is posted on the "Citizen Feedback" page on the Charter Commission website (Commissioners should have copies of that document).

Shelby County Election Commission, represented by Chairperson Myra Stiles

1. Staggered terms for City Council ✓ done
2. Realign the municipal election schedule with the November general election —
3. Remove the requirement for filing fees, OR

City reps Feedback

4. Set up a procedure for the fees to be collected by the city, with the candidate required to present proof of payment when the petition is filed with the election commission
5. Clarify the residence requirement of five years: Who determines whether a candidate has met the requirement and how is it determined (how is it documented)? *-yes (may be addressed in cleanup)*
6. Provide for runoffs in elections for all city offices or eliminate runoffs in district Council elections (NOTE: 1991 court case ruled that runoffs are not allowed for the office of Mayor and "at large" City Council positions.) *no*
7. If runoffs are held, clarify the timing of runoff elections *- yes*
8. Require the appointment of outside counsel on questions regarding municipal elections rather than using the services of the city attorney (is it a "conflict of interest" if the city attorney represents the city when it involves issues with election of city officials?) *-yes*